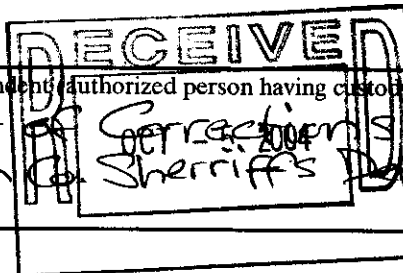


AO 241 (Rev. 5/85)

**PETITION UNDER 28 USC § 2254 FOR WRIT OF  
HABEAS CORPUS BY A PERSON IN STATE CUSTODY**

<b>United States District Court</b>		District <u>1st Dist.</u>
Name <u>Fredrick J. Bush</u>	Prisoner No. <u>20903</u>	Case No. <u>PLCR02-00091</u>
Place of Confinement <u>Plymouth County Corr. Facility</u>		
Name of Petitioner (include name under which convicted) <u>Fredrick J. Bush</u>	Name of Respondent (authorized person having custody of petitioner) <u>v. Dept of Corrections Plymouth Co. Sheriff's Dept.</u>	
The Attorney General of the State of: <u>Massachusetts</u>		



**PETITION**

1. Name and location of court which entered the judgment of conviction under attack Brockton Sup-  
-erior court,
2. Date of judgment of conviction 10-17-2003
3. Length of sentence 2 years State, 3 years County (Plymouth)
4. Nature of offense involved (all counts) A.W.D, Poss CLASS B, Poss  
with Intent to dist, School Zone Viol.  
Possession of Ammunition (Pepper Spray) w/o  
Fed Card, Resisting Arrest.

5. What was your plea? (Check one)

- (a) Not guilty ☒  
 (b) Guilty ☐  
 (c) Nolo contendere ☐

If you entered a guilty plea to one count or indictment, and not a guilty plea to another count or indictment, give details:

6. If you pleaded not guilty, what kind of trial did you have? (Check one)

- (a) Jury ☒  
 (b) Judge only ☐

7. Did you testify at the trial?

Yes ☒ No ☐

8. Did you appeal from the judgment of conviction?

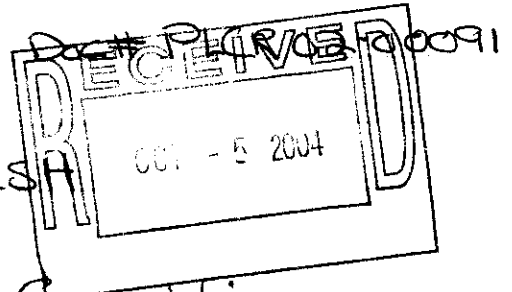
Yes ☒ No ☐

United States district Court  
District of Massachusetts

Suffolk, ss

First Circuit Court

Fredrick. J. Bush  
VS.



Department of Correction

Reserved def, Reserved def  
Reserved def, Reserved def  
Reserved def, Reserved def  
Reserved def, Reserved def

Now comes Fredrick J Bush respect-  
fully Seeking relief of Immediate  
Freedom in Accordance with Title 42,  
Sect 2254 based on the following  
grounds, violations of Constitutional  
procedures, protocol resulting in Seve-  
re deprivations of due process.

① Case was unconstitutionally built  
on a defective, innsufficient Search  
warrant with forged, and perjured  
Affidavit.

② Illegal Entry in Violation of  
fourth Amendment protection from -

unreasonable Search, Seizure, by Assault on home without a knock or Announcement or any request for admittance before ramming down door violently in Violation of Constitutional Safeguards, causing desperate need for Self defense against a masked, murderous unknown Assault in Street clothes with no discernable Police Identification resulting in bodily injury, Loss of home, all possessions as well as my Liberty to Vengefully willfull, intentional perjury, Conspiracy to deprive, deprivation of due process, malicious prosecution by officers.

③ Conviction obtained with Illegally Seized evidence, perjured testimony by two prosecution witnesses.

④ Prosecutorial Misconduct: withholding of exculpatory evidence, witnesses for @ one year; Subornation of perjury, and Conspiracy to deprive due process.

⑤ Police Misconduct: excessive force, unlawfull entry, perjury,

- obstruction of Justice, Conspiracy to deprive due process, destruction, and removal of exculpatory evidence, withholding exculpatory evidence, discovery.

⑥ Constitutional Violation of due process at motion to Suppress by Judge Ball's denial of my motion in spite of fabricated, perjured and inconsistent testimony she made ruling contrary to law, evidence knowingly; A ruling that has been under investigation by Judicial Conduct Commission since April 2, 2004, has been unethically, furtively delayed with no explanation.

⑦ Failure and or Refusal to address Motion for Unlawful Restraint which was filed in State Court with Trial "Judge Hinkle" on June 26, 2004. has been ignored up to now along with 2 successive Request for recognition, to Compell. with no Response at all to date.

⑧ Ineffective Assistance of Counsel by Court Appointed Attorney who -

violated Several Rules of Professional Conduct: he failed, or Refused to procure exculpatory evid, discovery; failed, or Refused to properly investigate case or locate witnesses; failed, or Refused to properly cross examine perJuring prosecution witnesses, never questioning, challenging or attempting to impeach their perJured, fabricated inconsistent damaging testimonys; he willfully Sabotaged my innocence by aiding prosecution by discussing our Strategy and exposing documents outside of Courtroom before proceedings as is mentioned inadvertently in the transcripts, as well as accepting an undated document of discovery from D.A. 11 1/2 months Late at Motion to Supress where it was too Late to be of use, Attorney Conspired with police, and prosecutor to Severely deprive me of due process and a fair trial.

⑨ Trial Judge refuse, or failed to give Self defense instructions to Jury.

As a result of these egregious and abundant procedural, constitutional violations, and deprivations which are all encompassing from Fraudulent Search warrant to erroneous execution with excessive force and Illegal Entry in Violation of Knock + Announce provisions as Safeguards Against unreasonable Search, Seizure; prosecutorial misconduct, Brady Violations, police perjury, deprivation, conspiracy to deprive, as well as Judicial, procedural infirmities, Refusal to act on petitions at the State level; all of these deprivations are inexcusable and contrary to Justice, Common Law and the American Constitution of the United States; petitioner should be granted Immediate release forthwith or a new trial in addition to any other relief the Court should consider and deem adequate for the damage facilitated by these injustices of record, circumstance.

Signed this 14th day of September in the 2004th year of our Lord,

under pain, penalty of perjury 9-14-04

Respectfully *Fredrick J Bush* P.C.C.F.